



## **H.R. 4040 - Consumer Product Safety Modernization Act**

### **FLOOR SITUATION**

H.R. 4040 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Bobby Rush (D-IL) on November 1, 2007. The Committee on Energy and Commerce approved the bill, as amended, by voice vote, on December 13, 2007.

H.R. 4040 is expected to be considered on the floor of the House of Representatives on December 19, 2007.

### **SUMMARY**

Graduated Reduction of Lead Standards: The bill implements stricter standards on the amount of lead in children's products, bringing it to 100 parts per million total lead content by weight within 4 years.

Mandatory Third-Party Testing for Certain Children's Products: Within one year, the bill requires manufacturers of children's products containing lead to have their products tested by a qualified independent third party and certify that it meets child safety standards.

Tracking Labels for Children's Products: The bill requires manufacturers of children's products to include product labels that enable manufacturers and purchasers to determine the time and location of its production.

Reauthorization of the Consumer Product Safety Commission (CPSC): The bill reauthorizes the CPSC at the following funding levels:

- \$80 million for FY2009;
- \$90 million for FY2010;
- \$100 million for FY2011; and
- \$20 million for FY2009 through FY2011 for renovation, repair, and reconstruction of the Commission's research, development, and testing facility.

Increased Civil Penalties and Enforcement by State Attorneys General: The bill increases the cap on civil penalties to \$10 million (from \$1.825 million) and permits State Attorneys General to seek injunctive relief for some violations.

Public Notification: The bill grants the CPSC the authority to immediately share information about dangerous products with the public and ensures State public health agencies are kept informed.

## **BACKGROUND**

The Consumer Product Safety Act (P.L. 92-573) was enacted in 1972 and it established the Consumer Product Safety Commission (CSPC) with the authority to develop standards to reduce the unreasonable risks of injury associated with consumer products and to either ban products where there is no feasible standard or pursue recalls for products that present a substantial product hazard.

## **COST**

A cost estimate from the Congressional Budget Office (CBO) was not available at the time of publication.

## **STAFF CONTACT**

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